

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

ANANT N. MAUSKAR

§

VS.

§

CIVIL ACTION NO. 1:07cv49

FRANCISCO QUNITANA

§

MEMORANDUM ORDER OVERRULING OBJECTIONS AND ADOPTING
THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Anant N. Mauskar, an inmate confined at the Federal Correctional Institute at Beaumont, Texas, proceeding *pro se*, filed the above-styled civil rights lawsuit. The court referred this matter to the Honorable Earl S. Hines, United States Magistrate Judge, for consideration pursuant to applicable orders of this court.

Plaintiff has filed a motion seeking a temporary restraining order. The magistrate judge has submitted a Report and Recommendation concerning the motion. The magistrate judge recommends the motion be denied.

The court has received and considered the Report and Recommendation of United States Magistrate Judge, along with the records, pleadings and all available evidence. Plaintiff filed objections to the Report and Recommendation.

The court has conducted a *de novo* review of the objections. After careful consideration, the court is of the opinion plaintiff's objections are without merit. While plaintiff filed what he describes as objections, he states that he has filed a motion for leave to file an amended complaint which renders moot the current request for a temporary restraining order. He states that in the event he is granted leave to amend his complaint, he will file another motion requesting a temporary restraining order.

ORDER

Accordingly, petitioner's objections are **OVERRULED**. The findings of fact and conclusions of law of the magistrate judge are correct and the report of the magistrate judge is

ADOPTED. Plaintiff's motion seeking a temporary restraining order is **DENIED.**

So **ORDERED** and **SIGNED** this **19** day of **March, 2008.**

A handwritten signature in black ink, appearing to read "Ron Clark", is positioned above a horizontal line.

Ron Clark, United States District Judge